

Slade R. Metcalf (SM 8360)  
Katherine M. Bolger (KB 6206)  
Rachel F. Strom (RS 9666)  
Hogan & Hartson LLP  
875 Third Avenue  
New York, NY 10022  
Telephone: (212) 918-3000  
*Attorneys for Defendants Monica Levinson,  
Twentieth Century Fox Film Corporation,  
One America Productions, Inc., Todd Schulman,  
Sacha Baron Cohen, Larry Charles, Jay Roach  
Everyman Pictures, Springland Films,  
Dune Entertainment, LLC, Comedy Partners,  
Dakota North Entertainment, Inc., and  
Four by Two Production Company*

UNITED STATES DISTRICT COURT  
SOUTHERN DISTRICT OF NEW YORK

Kathie Martin,

Plaintiff,

– against –

Dan Mazer, Anthony Hines, Larry Charles, Peter Baynham, Monica Levinson, Jay Roach, Todd Phillips, Everyman Pictures, Twentieth Century Fox Film Corporation, One America Productions, Inc., Gold/Miller Productions, Springland Films, Dune Entertainment, LLC, MTV Networks d/b/a Comedy Central, Dakota North Entertainment, Inc., Four by Two Production Company, Sacha Baron Cohen, Todd Schulman, and John Does Nos. 1-5,

Defendants.

Case No. 08 CV 1828 (LAP)

## NOTICE OF MOTION

**PLEASE TAKE NOTICE**, that upon the annexed declarations of Joan Hansen, sworn to the 2nd day of May, 2008, and Slade R. Metcalf, sworn to the 5th day of May, 2008, and the exhibits annexed thereto, and upon all prior papers and proceedings heretofore had herein, the undersigned will move this Court, before the Honorable Loretta A. Preska, United States District Judge, United States District Court, Southern District of New York, at the United States

Courthouse, Courtroom 12A, 500 Pearl Street, New York, New York 10007, at a date and time as shall be set by the Court, for an order, pursuant to Rule 12(b)(6) of the Federal Rules of Civil Procedure, dismissing the first amended complaint of plaintiff Kathie Martin ("Plaintiff") with prejudice as against defendants Monica Levinson, Twentieth Century Fox Film Corporation, One America Productions, Inc., Todd Schulman, Sacha Baron Cohen, Larry Charles, Jay Roach, Everyman Pictures, Springland Films, Dune Entertainment LLC, Comedy Partners (incorrectly sued herein as "MTV Networks d/b/a Comedy Central"), Dakota North Entertainment, Inc. and Four by Two Production Company in its entirety, and granting such other and further relief as this Court may deem appropriate. Oral argument, if any, will be on a date and at a time to be designated by the Court.

**PLEASE TAKE FURTHER NOTICE** that, opposition papers, if any, shall be served by Plaintiff within ten business days after service of the motion papers in accordance with Rule 6.1(b) of the Local Rules of the United States District Courts for the Southern and Eastern Districts of New York.

Dated: May 5, 2008

Respectfully submitted,

HOGAN & HARTSON LLP

By: \_\_\_\_\_/s/

Slade R. Metcalf (SM 8360)

Katherine M. Bolger (KB 6206)

Rachel F. Strom (RS 9666)

HOGAN & HARTSON LLP

875 Third Avenue

New York, NY 10022

Tel: (212) 918-3000

*Attorneys for Defendants Monica Levinson,  
Twentieth Century Fox Film Corporation, One  
America Productions, Inc., Todd Schulman, Sacha  
Baron Cohen, Larry Charles, Jay Roach, Everyman  
Pictures, Springland Films, Dune Entertainment,  
LLC, Comedy Partners, Dakota North Entertainment,  
Inc., and Four by Two Production Company*

TO: Adam Richards  
ADAM RICHARDS LLC  
40 Fulton Street, 7<sup>th</sup> Floor  
New York, NY 10038  
Tel: (212) 233-4400  
*Attorney for Plaintiff Kathie Martin*

UNITED STATES DISTRICT COURT  
SOUTHERN DISTRICT OF NEW YORK

-----X  
Kathie Martin,

Plaintiff,

– against –

Dan Mazer, Anthony Hines, Larry Charles,  
Peter Baynham, Monica Levinson, Jay  
Roach, Todd Phillips, Everyman Pictures,  
Twentieth Century Fox Film Corporation,  
One America Productions, Inc., Gold/Miller  
Productions, Springland Films, Dune  
Entertainment, LLC, MTV Networks d/b/a  
Comedy Central, Dakota North  
Entertainment, Inc., Four by Two  
Production Company, Sacha Baron Cohen,  
Todd Schulman, and John Does Nos. 1-5,

Defendants.  
-----X

Case No. 08 CV 1828 (LAP)

**CERTIFICATE OF SERVICE**

I, Rachel F. Strom, hereby certify that on May 5, 2008, I caused a true and correct copy of the Notice Of Motion, Defendants' Memorandum Of Law In Support Of Their Motion To Dismiss The First Amended Complaint and the exhibit annexed thereto, Declaration Of Slade R. Metcalf In Support Of Defendants' Motion To Dismiss The First Amended Complaint and the exhibits annexed thereto, Declaration Of Joan Hansen In Support Of Defendants' Motion To Dismiss The First Amended Complaint and the exhibits annexed thereto, Statement of Defendant Dune Entertainment LLC Pursuant to Federal Rule of Civil Procedure 7.1, Statement of Defendant Comedy Partners Pursuant to Federal Rule of Civil Procedure 7.1, Statement of Defendant Everyman Pictures Pursuant to Federal Rule of Civil Procedure 7.1, and the Statement of Defendant Dakota North Entertainment, Inc. Pursuant to Federal Rule of Civil Procedure 7.1, to be served through the Court's electronic notification system and by Federal Express overnight delivery upon:

Adam Richards  
ADAM RICHARDS LLC  
40 Fulton Street, 7<sup>th</sup> Floor  
New York, NY 10038  
Tel: (212) 233-4400  
*Attorney for Plaintiff Kathie Martin*

Dated: May 5, 2008

\_\_\_\_\_  
s/ Rachel F. Strom  
RACHEL F. STROM (RS 9666)